

City Council
Atlanta, Georgia

06-O-1444

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-73
Date Filed: 6-13-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1687 Monroe Drive, N.E.**, be changed from the R-G-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 56, 17th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

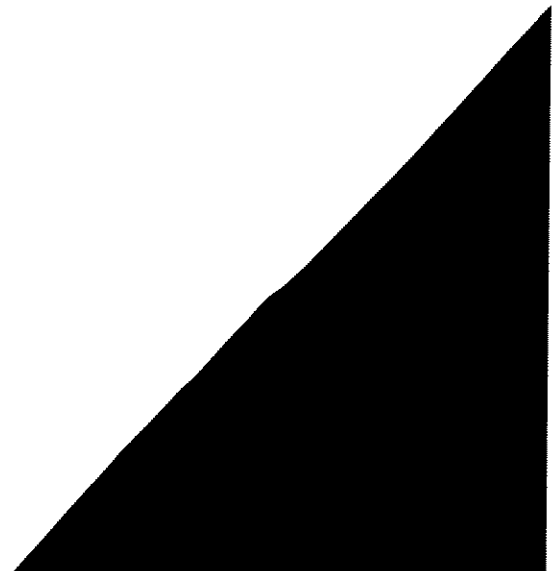
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-06-73 for 1687 Monroe Drive, N.E.

1. This property is zoned conditioned on the site plan by Harrison Design & Associates dated July 14, 2006 and stamped "received" by the Bureau of Planning on July 24, 2006.
2. A tree survey of the property is attached as Exhibit A. All trees shown on the survey as "healthy tree to be replaced" that are removed will be replaced with an equivalent number of trees. To the extent that trees shown as "unhealthy or invasive" are removed, a minimum of 10 percent of the total number of said trees removed will be replaced.
3. The following conditions apply to the Monroe Drive frontage of the property:
 - a) A street furniture and tree planting zone shall be located immediately adjacent to the curb and shall be continuous. This zone shall be a minimum of 5 feet wide. City of Atlanta Type "A" or "C" street lights as approved by the bureau of planning shall be installed 40 feet apart. Trees shall be planted in the zone a maximum of 40 feet on center and spaced between the street lights. The area between the trees shall be planted with grass or ground cover. In addition to the planting of trees, this zone may be used for the purposes set forth in Subsection 16-35.012(1) of the Zoning Ordinance (MR District street furniture and planting zone requirements).
 - b) A clear zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. The clear zone shall be hardscape and shall be unobstructed for a minimum height of 8 feet and a width of 10 feet. The hardscape shall continue across the driveway apron.
 - c) A supplemental zone shall be provided between the clear zone and any building. The following conditions shall apply to the supplemental zone:
 - i) The supplemental zone shall include a 2.5 foot wide grass planting area immediately contiguous to the clear zone and front yards between the grass planting area and the front face of the residential units. The front yards shall be a minimum of 20 feet deep.
 - ii) To separate the grass planting area from the front yards, a brick kneewall a minimum of 18 inches high shall be provided. The kneewall shall be topped by a wrought iron fence 24 inches high.
 - iii) Porches, steps and stoops may be constructed in the supplemental zone.
 - iv) Each front yard shall be planted with an ornamental tree or a shade tree.
 - d) The driveway shall have a band of textured concrete adjacent to the street and another band of textured concrete that is in line with the end of the clear zone and the beginning of the supplemental zone. Each band shall be 5 feet wide.

4. The following conditions apply to the interior of the property:
 - a) All yards in front of entrances to residential units that are at least 10 feet deep shall be planted with either an ornamental tree or a shade tree.
 - b) Sidewalks shall be a minimum of 5 feet wide.
5. Before submitting an application for a building permit, the applicant shall provide conceptual architectural façade drawings and a landscaping plan to the Piedmont Heights Civic Association for review and comment.



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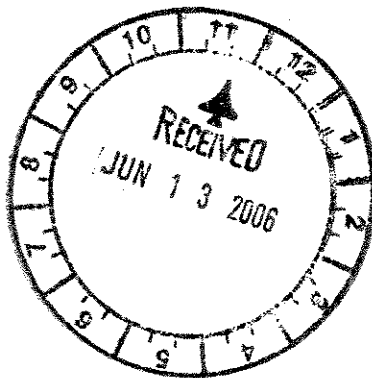
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LEGAL DESCRIPTION
1687 MONROE DRIVE, N.E.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 56 of the 17th District of Fulton County, Georgia, containing 2.7517 acres as shown on that certain survey prepared for Charles H. Curtis and Betty L. Berkman by Josh L. Lewis, III, Georgia Registered Land Surveyor No. 1751, dated October 12, 1990, and being more particularly described as follows:

BEGINNING at an iron pin found located at the intersection of the eastern right-of-way line of Monroe Drive (formerly Boulevard) (80 foot right-of-way) and a point located 330.90 feet from the centerline of Montgomery Ferry Drive; thence proceed North $83^{\circ} 40' 00''$ East, a distance of 392.28 feet to an iron pin found; thence proceed South $22^{\circ} 13' 00''$ East, a distance of 351.00 feet to an iron pin found; thence proceed North $89^{\circ} 03' 00''$ West, a distance of 379.77 feet to an iron pin found located on the eastern right-of-way line of Monroe Drive; thence proceed along the aforesaid eastern right-of-way line of Monroe Drive along an arc of a curve to the right with a radius of 1376.83 feet (said arc being subtended by a chord bearing North $27^{\circ} 29' 26''$ West, a chord distance of 310.24 feet), an arc distance of 310.90 feet to an iron pin found and THE POINT OF BEGINNING.



7-06-73